

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RICH POISEL'S ROOFING and RICH
POISEL,

Plaintiffs,

v.

TRAVELERS PROPERTY CASUALTY
COMPANY OF AMERICA,

Defendant.

8:19CV447

ORDER

This matter is before the Court on the Findings and Recommendation of the magistrate judge¹ (Filing No. 7) recommending the Court dismiss this case for failure of service, want of prosecution, and failure to show subject-matter jurisdiction. *See* Fed. R. Civ. P. 4(m) and 41(b). Plaintiffs Rich Poisel's Roofing and Rich Poisel (collectively, "plaintiffs") have not objected or otherwise responded to the Findings and Recommendation, and the time to object has expired. *See* 28 U.S.C. § 636(b)(1) (allowing fourteen days to object).

The Court is required under 28 U.S.C. § 636(b)(1) to conduct de novo review of "specified proposed findings or recommendations to which objection is made." The plaintiffs' failure to timely object "eliminates not only the need for de novo review, but *any* review by the district court." *Leonard v. Dorsey & Whitney LLP*, 553 F.3d 609, 619-20 (8th Cir. 2009); *see also* NECivR 72.2 ("Failure to object to a finding of fact in a magistrate judge's recommendation may be construed as a waiver of the right to object to

¹The Honorable Michael D. Nelson, United States Magistrate Judge for the District of Nebraska.

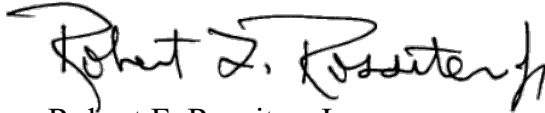
the district judge's order adopting the recommendation of the finding of fact.")
Accordingly,

IT IS ORDERED:

1. The magistrate judge's Findings and Recommendation (Filing No. 7) are accepted in their entirety. Any objections are deemed waived.
2. This case is dismissed without prejudice for failure of service, want of prosecution, and failure to show subject-matter jurisdiction.
3. A separate judgment will issue.

Dated this 19th day of February 2020.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Robert F. Rossiter, Jr.", with a stylized flourish at the end.

Robert F. Rossiter, Jr.
United States District Judge